

**Comments Submitted by David B. Fischer on behalf of the American Chemistry Council
to the SAB Staff Office on Improving Public Involvement in SAB Activities**

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Independent external peer review helps ensure the development of scientifically robust risk assessments. The American Chemistry Council and its self-funded chemical groups in particular, have been intimately involved in the SAB peer review process for many years. The following recommendations for improvement draw from this experience.

- The charge questions posed to any SAB panel help determine not only the make-up of the peer review panel but the scope and depth of the peer review itself. Although SAB routinely offers the public an opportunity to recommend and comment on a panel's membership, the formulation of charge questions is far less transparent. ACC recommends that EPA initiate the development of charge questions at the problem formulation stage of a risk assessment, and then solicit public input on the draft charge questions concurrent with public input on the draft risk assessment.
- The charge questions should be written to facilitate objective consideration of alternative plausible scientific views rather than only reviewing the scientific sufficiency of the risk assessment. As recommended in *Improving the Use of Science in Regulatory Policy*, EPA should explicitly differentiate between questions that involve scientific judgments and questions that involve judgments about economics, ethics and other matters of policy.
- The SAB meetings should be restructured to encourage open scientific dialogue and thoughtful scientific deliberation between both peer reviewers and the public. Presently, the public commenters have at most 5 minutes to rush through their presentations while the SAB members passively listen. Greater effort should be made to structure the meetings so that public input is provided and deliberated at appropriate times. In addition, the SAB report should explicitly reference or otherwise discuss the scientific input from public commenters.
- The SAB Staff Office must ensure that the SAB peer reviewers fully understand their independent roles as peer reviewers. At times, however, it appears that peer reviewers are overly deferential to EPA, reluctant to be seen as criticizing EPA staff. During one recent SAB conference call, the SAB peer reviewers debated whether EPA's draft assessment contained "major deficiencies" or just "deficiencies." Also, EPA staff are given unfettered ability to comment throughout the peer review meetings and their constant presence may have a chilling effect on frank and open discussion among the peer reviewers.
- In selecting peer review panel members, the foremost consideration should be given to expertise. Qualified scientists from industry should be given equal consideration for appointment based on the subject matter, and in accordance with applicable conflict of interest provisions. In this there is unanimity among the most authoritative sources, including the National Research Council of the National Academies and the Society of Toxicology.